

### **REMARKS/ARGUMENTS**

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and amended as necessary to more clearly and particularly describe the subject matter that Applicants regard as the invention.

Claims 1–14 are amended.

The Examiner rejected claims 2, 3, 4, 5, and 13 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As mentioned above, these claims have been amended, thus obviating the rejection.

The Examiner rejected claims 1–14 under 35 U.S.C. 101 for being directed to non-statutory subject matter. Claims 1–12 have been amended as indicated above, therefore rendering the rejection moot. Claim 13 is directed to a system and claim 14 is directed to a method, both of which recite statutory subject matter pursuant to the legal standard set forth in *AT&T Corp. v. Excel Communications, Inc.*, 172 F.3d 1352 (Fed.Cir.1999). In *AT&T*, the Court held that the claims corresponding to an invention is statutory if the claimed invention produces a useful, concrete, tangible result. *See Id.* at 1358. More particularly, Applicant's invention as recited in claim 13 provides for a simulation infrastructure. The infrastructure generates a simulated result based on a condition input. Similarly, claim 14 provides for a simulation method or process that generates a first simulated result, followed by a subsequent second simulated result that is based on the first simulated result, which is clearly a useful, concrete, and tangible result. Therefore, claims 13 and 14 constitute statutory subject matter and the rejection should be withdrawn accordingly.

The Examiner rejected claims 1–14 under 35 U.S.C. 102(b) as being anticipated by Sarvar et al. – *Effective Modeling of the Reflow Soldering Process: Basis, Construction, and Operation of a Process Model*. Applicant respectfully disagrees. Regarding claims 1 and 14 and claims 2–12 which depend from claim 1, Sarvar et al. does not teach executing a simulation based on a first condition selected for a first step; selecting a simulated result from the first simulation executing step as a simulation condition for a second step; and executing a simulation of the second step based on a second condition, wherein the second condition contains at least the simulation condition. Regarding claim 13, Sarvar et al. does not teach a condition table forming portion that forms a condition table that lists a simulation condition of a second step positioned subsequently to a first step, whereby the condition table is formed by using a simulation result simulated based on a first condition selected for at least a first step; and a simulation result outputting portion that executes the simulation of the second step based on the condition table and condition input from the inputting portion and that outputs a result to the outputting portion. Therefore, Sarvar et al. does not anticipate claims 1–14 and the rejection should be withdrawn.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Appln. No. 10/767,658  
Amdt. dated November 20, 2006  
Reply to Office Action dated September 8, 2006

If there are any additional fees resulting from this communication, please charge same  
to our Deposit Account No. 16-0820, our Order No. 36409.

Respectfully submitted,  
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